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February 8, 2012

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**Re: Risk Communication at the Middlefield-Ellis-Whisman
Superfund Site In Mountain View, California**

Dear Ms. Diamond and Ms. Dreyfus:

This letter follows up on messages left with both of you on Friday, February 3, 2012, and Rick Coffin's conversation with Bethany on Monday, February 6, 2012. As indicated in those conversations, Schlumberger Technology Corporation ("STC") and Raytheon Company ("Raytheon"), which are both Responsible Parties ("RPs") at the Middlefield-Ellis-Whisman Superfund Site ("MEW Site") in Mountain View, California, are deeply concerned with the way in which site risk information is being conveyed. This letter also follows an earlier letter of January 10, 2012, addressing EPA's imposition of new requirements on a property owner, which were inconsistent with the amended 106 Order, without first consulting with the RPs. See attached letter. While we are troubled by the recent communications, we remain committed to work cooperatively with EPA to address these issues.

By way of background, last week, STC received a call from representatives of property owners in Mountain View who were both concerned and alarmed by information conveyed from EPA to them in a conversation on January 30, 2012. The property owners reported that they were advised by EPA that short-term (as short as 24 to 48 hour) exposures to low-levels of airborne trichloroethylene ("TCE") are associated with fetal malformations and should be avoided. The property owners also reported to STC that it was suggested by the Agency that pregnant women should not work at construction sites in the MEW area.

The information conveyed on January 30 is inconsistent with prior decision documents and any health-based screening-levels used by EPA or California State agencies. As a result, the property owners, some of the tenants, and likely employees are confused and concerned.

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When Rick spoke with Bethany on February 6, Bethany confirmed that: (1) the comment from EPA on January 30 regarding pregnant women was "unfortunate"; and (2) no final decision regarding short-term exposure to TCE has been made by EPA. Bethany assured Rick that before any position regarding short-term exposure to TCE is released by EPA, STC and Raytheon will be provided an opportunity to meet with EPA to fully review the science underlying EPA's concerns. We assume that others who will be affected by the decisions will also be involved before those decisions are made. At Bethany's suggestion, we are now arranging an initial meeting between EPA and the RPs to address the risk communication issues. We recommend that further meetings including all stakeholders: the RPs, property owners, City of Mountain View, etc., also be scheduled to address these issues before EPA releases any written position.

STC and Raytheon are committed to a risk communication process that is coordinated, systematic, based on the underlying science, protects public health, and does not unnecessarily confuse or raise alarm in the public. STC and Raytheon look forward to meeting with EPA and others to fully discuss appropriate risk communication protocols at the MEW Site and the issue being considered by EPA nationally. We look forward to start that process at the upcoming meeting with EPA.

Sincerely,

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For Schlumberger Technology Corp.



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cc: Karen J. Nardi

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January 10, 2012

By E-Mail and First Class US Mail

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Re: Middlefield-Ellis-Whisman Superfund Site

Dear Ms. Salyer, Ms. Manheimer, Ms. Dreyfus and Ms. Lee:

This letter lodges a formal complaint to address recent activity of Region 9 of the Environmental Protection Agency ("EPA") in connection with tenant improvements at 313-323 Fairchild Drive in Mountain View, California (the "Site"). As you know, the Site is now owned by Carr Fairchild Owner LLC and is managed by Equity Office Management, LLC (collectively "EOP"). The Site was a former location of a manufacturing facility of Fairchild Semiconductor Corporation ("Fairchild"). Fairchild and Schlumberger Technology Corporation ("STC") are named Responsible Parties ("RPs") for the Site under the Amended 106 Order regarding vapor intrusion issues issued by EPA on September 16, 2011. The Site was recently leased by EOP to Google, Inc. We understand that certain tenant improvements are being undertaken at the Site in connection with the new lease, including certain trenching and boring.

The RPs have been cooperating with EPA to implement required vapor intrusion remedial actions, consistent with the Amended 106 Order at several locations, including the Site. Late on January 5, 2012, I first learned from EOP that EPA, without any notice to the RPs, is doing the following:

- EPA has required indoor air sampling at the Site at a time when the slab for the buildings has been breached, open trenches are present at the Site and other tenant improvement construction activities are under way at the Site. Purportedly, the purpose of the sampling is to provide "pre-construction" conditions. However, requiring air samples with the Site in that condition will generate data that is entirely unrelated to the conditions under which the Site will be occupied. Moreover, "pre-construction" vapor intrusion data was available from the RP's sampling at the Site in 2003 and sampling done by EOP in 2011. Therefore, no additional samples were necessary to establish "pre-construction" conditions at the Site.
- EPA has required installation of eight probes for sub-slab vapor samples at the Site as a condition to the tenant improvements going forward. This requirement is not consistent with the Amended 106 Order or any work plan presently pending with EPA to implement the Amended 106 Order, and may create new conduits for vapor intrusion into the buildings.
- Apparently EPA is delaying implementation of the required tenant improvements at the Site while mandating the unnecessary investigation and work described above. EOP advises that all tenant improvement work at the Site has been stopped by EPA.

The above activity is particularly troublesome for two reasons. First, all of the requirements proposed by EPA at the Site were without any notice to, or discussion with, the RPs. Instead, EPA apparently made direct demands on the contractor for the tenant knowing that, by excluding the RPs from the discussion, the demands would not be questioned in the interest of expedience. Second, the demands with regard to the Site are, at least in significant part, inconsistent with the Amended 106 Order and with work plans submitted to EPA by the RPs to implement the Amended 106 Order. Those workplans were submitted to EPA months ago, in July, August and September 2011, respectively. Despite the fact that EPA has stated repeatedly that time is of the essence with regard to implementation of the Amended 106 Order, the RPs have received no response from EPA to those workplans for months and cannot implement the required work until the work plans are finalized.

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To the extent that EPA is interested in any sampling, investigation, or installation of infrastructure at the Site, such a request should be addressed during the development of the work plans and must be directed to the RPs and not to third-parties such as contractors and consultants. The RPs have committed significant resources responding to EPA's concerns about vapor intrusion and are concerned that EPA's demands to third-parties, without consultation with the RPs, undermine the process developed to respond to vapor intrusion at the Site and unnecessarily causes confusion.

The RPs request an immediate meeting with Ms. Salyer to promptly address the issues outlined above. Further delay of the tenant improvement work at the Site by EPA's actions is not justified or appropriate.

Sincerely,



RICHARD C. COFFIN

cc: Pamela L. Andes
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